

E-FILED on: 10/3/2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ADOBE SYSTEMS, INC.,

No. C-08-02435 RMW

Plaintiff,

REQUEST FOR FURTHER BRIEFING IN  
SUPPORT OF ADOBE'S MOTION FOR  
DEFAULT JUDGMENT

v.

CHRISTOPHER CAIN, individually and d/b/a  
[www.ascendencygroup.com](http://www.ascendencygroup.com), *et al.*

[Re Docket Nos. 17]

Defendants.

Plaintiff Adobe Systems, Inc. moves for default judgment against defendant Christopher Cain based on Mr. Cain's alleged unauthorized distribution of Adobe software on eBay. Adobe alleges that Mr. Cain lives in Staten Island, New York, but that jurisdiction is proper in this district. Compl. ¶¶ 12, 13. In support of its motion, Adobe submits evidence of transaction between Mr. Cain and Adobe's agents in Woodland Hills, California. Johnson Decl., Ex. C.

The court requests further briefing in support of Adobe's motion regarding the impact, if any, of *Boschetto v. Hansing*, 539 F.3d 1011 (9th Cir. Aug. 20, 2008). Adobe should file any such briefing by October 10, 2008.

DATED: 10/3/2008



RONALD M. WHYTE  
United States District Judge

1 **Notice of this document has been electronically sent to:**

2 **Counsel for Plaintiff:**

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4 **Defendants:**

5 (No appearance)

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10 **Dated:** 10/3/2008

11    **TSF**  
**Chambers of Judge Whyte**